

LAW OFFICES OF GENE MESH AND ASSOCIATES

August 7, 2001

Facsimile

James E. Burke, Esq.
Keating, Muething & Klekamp, P.L.L.
1400 Provident Tower, One East Fourth Street
Cincinnati, Ohio 45202

Re: Thiemann v. OHSL Financial Corp. et al., No. C-1-00-793

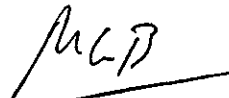
Dear Counsel:

I write in response to your letter of earlier today.

In that letter, you take the position that those substantial portions of plaintiff's complaint that remain extant following the Court's decision on defendants' motion to dismiss are frivolous. You also make a number of arguments as to why you believe that to be the case. However, your arguments as to why the complaint is frivolous are precisely the arguments you made in support of defendants' motion to dismiss, and thus have previously been rejected by the Court.

In light of this clear and unambiguous law of the case, we will not be responding to your threat to seek sanctions other than to point out that the Advisory Committee Notes to the 1993 amendments to Rule 11 make clear that a party making a frivolous motion for sanctions may himself be sanctioned without the necessity of further motion.

Sincerely,



Michael G. Brautigam

MGB/mad

cc: John W. Hust, Esq. (by facsimile)
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